

**From:** [OSEI CORP](#)  
**To:** [Ragan Broyles/R6/USEPA/US@EPA](#); [staves.james@epa.gov](mailto:staves.james@epa.gov); [Steve Mason/R6/USEPA/US@EPA](#)  
**Subject:** OSEI Corporation 1 24 13  
**Date:** 01/24/2013 02:02 PM  
**Attachments:** [OSEI RRT brochure of uses and testing of OSE II 9 12](#)

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Dear Ragan Broyles, Jim Staves, and Steve Mason,

There is currently a spill in Louisiana, where the responsible party has requested OSE II and the FOSC has presented OSE II for use, however once again we have arbitrary concerns and Sea Lawyering going on in association with OSE II to stop its use. NOAA has stated they will be ready for a demonstration of OSE II in a trough a week from now, after the spill is cleaned up, they really show a complete lack of respect for me and others with sophomoric acts like this.

As was stated by you guys on the conference call last April with me, you cannot find a scientific reason why not to use OSE II, yet the arbitrary unexplained hurdles continue without merit. The spill is the Bayou Sorrel site in Louisiana, where some of the spill was skimmed or absorbed, they tried to burn it and atomize benzene in the air except it would not burn long. This spill is in area that is not easily accessed with oil coating vegetation and the swamp areas waters surface. OSE II can and has in other countries, as well as in a lake/pond in Texas ( see link <http://osei.us/photoalbums/crude-oil-spill-cleanup> ) removed oil from an area similar to this spill without disrupting the environment.

NOAA and other members of the RRT are bringing up arbitrary concerns and forcing the response away from the requested OSE II, to a manual clean up that will have to destroy sections of the associated environment to drag the debris out of this area, and try to collect the oil, which there is no way this process will address 100% of the oil as OSE II will. There is no need for this destructive activity when OSE II, which has proven over 23 years to work through testing, demonstrations and clean ups in numerous scenarios, on numerous types of hydrocarbon based materials; with 18 toxicity tests that shows OSE II is non toxic per the EPA's own scale, you also can see pictures and videos over the years of OSEI officials handling OSE II without any harm, so it is safe for responders, and the videos show how easy OSE II is to implement. OSE II covers the 4 main aspects of spill response.

OSE II is used in over 40 countries and is pre approved in numerous countries as a first response clean up tool. This means that OSE II has been vetted over and over by scientist in other countries and they acknowledge OSE II has merit and utilize it. I presented a document to the FOSC covering all the prominent scientist that were part of governor Jindal's fast track review committee for the BP spill, where after reviewing all the information they stated OSE II has merit and should be demonstrated for the BP spill, of course the EPA, Sam Coleman arbitrarily stopped the demonstration.

I submitted a document that covers all the RRT's testing (see attached) and use of OSE II and it is formidable, and yet the EPA and NOAA are continuing to try to arbitrarily stop the use of OSE II, enough of the SEA Lawyering, and now it is time for the EPA, and NOAA to do their intended jobs. You have stated redundantly the process for use, and it has been carried out exactly for this spill, and yet we are at the same door step, EPA and NOAA arbitrarily blocking a tried and true safe product OSE II that actually meets the clean water act by permanently removing oil from the environment. OSE II has now cleaned up over 23600 spills, and yet NOAA with the voluminous amount of tests, back up and experience is preventing OSE II's use, it is just WRONG! It is also costing my company money!

I am requesting that you step in and immediately stop the arbitrary acts preventing the approval and use of OSE II for this Bayou Sorrel spill, and allow the approval for the use of OSE II on this spill immediately.

This is an email we received from the responsible parties contractor below

**From:** Mike Watts <[mike@ampol.net](mailto:mike@ampol.net)>  
**Date:** January 24, 2013, 12:09:46 PM CST  
**To:** David Fakouri <[dfakouri@dfaa.us](mailto:dfakouri@dfaa.us)>  
**Subject:** RE: Steven Pedigo shared "OSEI CEO meetings and demonstration with the State of Louisiana legislators 5 5 10" with you

David,

It is my understanding that it is NOAA primarily, but other members of the RRT as well that have raised concerns regarding the use of your product. Presently, things appear to have been delayed significantly enough that I am making our contingency plan of manual removal into the primary plan



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instead.

The test we discussed yesterday, NOAA has initially said they would be ready the middle of next week sometime.

I understand your frustration, but there is a separate approval process for bioremediation outside of the NCP for water based spills and that set of approvals is what is holding things up.

-Mike

This email states there is some type of outside process that does not follow the process you have repeated to me over and over. Can the RRT just develop new processes, and endless hurdles to stop the use of something that is more effective and safer than any other process outside of 40CFR/NCP?

I will wait for your help and immediate response.

I have not received any correspondence from you in regards to the last email requesting you to alert Graig Matthiessen the fact there is oil in the Gulf that needs to be addressed. I assume you have seen the reports coming out of the Conference in New Orleans that independent scientist have discovered huge amounts of oil on the Gulf seabed, and have pointed out tar balls and even some fresh oil is still coming ashore onto the Gulf shorelines. In case you missed it, the Grand Ilse La mayor reported recently there is oil all over their beaches, and there are pictures and reports of oil all over the Gulf states shorelines from La to Florida being posted daily. This oil needs to be addressed immediately and OSE II is the means to clean up this reported oil in the Gulf and this is the EPA's charter and responsibility!

Steven Pedigo  
Chairman/CEO OSEI Corporation

# TARGET SHEET

**SITE NAME:** DEEPWATER HORIZON INCIDENT

**CERCLIS I.D.:** DWHLAXN10036

**TITLE OF DOC.:** OSEI RRT BROCHURE OF USES AND TESTING  
OF OSE II 9 12

**DATE OF DOC.:** 1/1/1111

**NO. OF PGS. THIS TARGET SHEET REPLACES:** UNKNOWN

**SDMS #:** 9550348 **RELATED #:** 9549944

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**ALTERN. MEDIA ?** ☒ **CROSS REFERENCE ?** ☐

**LAB DOCUMENT ?** ☐ **LAB NAME:**

**ASC./BOX #:**

**CASE #:**  **SDG #:**

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